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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.         | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------------|------------------|
| 10/585,123   | 10/01/2007  | Zoran Gajic          | 43315-231536                | 8329             |
| 26694  | 7590        | 12/09/2009           |                             |                  |
| VENABLE LLP<br>P.O. BOX 34385<br>WASHINGTON, DC 20043-9998 |             |                      | EXAMINER<br>DOLE, TIMOTHY J |                  |
|  |             |                      | ART UNIT                    | PAPER NUMBER     |
|  |             |                      | 2831                        |                  |
|  |             |                      | MAIL DATE                   | DELIVERY MODE    |
|  |             |                      | 12/09/2009                  | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/585,123 | <b>Applicant(s)</b><br>GAJIC ET AL. |  |
|                              | <b>Examiner</b><br>TIMOTHY J. DOLE   | <b>Art Unit</b><br>2831             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,7 and 8 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/5/07</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-5, 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding claims 1-4, the phrase "particularly suitable for" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
4. Claim 5 recites the limitations: "the individual protected object sides" in line 7; "the power transformer" in line 9; "the protected zone" in lines 9, 12 and 15; "the compensated individual sides" in line 10; "the source" in lines 11 and 14; "the fault position" in line 12; and "the protected object" in line 14. There is insufficient antecedent basis for these limitations in the claim.
5. Claims 7 and 8 both recite "The computer program product", but depend on claim 4, which is a device. It is suggested that claim 7 be amended to depend on claim 5.

### ***Claim Objections***

6. Claims 1, 2 and 4 are objected to because of the following informalities: Claims 1, 2 and 4 recite the following limitations, which lack antecedent basis: "the protected object" in claim 1,

Art Unit: 2831

lines 5 and 14; “the individual protected object sides” in claim 1, line 7; “the compensated individual sides” in claim 1, line 10; “the source” in claim 1, lines 11 and 14; “the fault position” in claim 1, line 12; “the protected object” in claim 1, line 14; “the protected object” in claim 2, lines 5 and 16; “the individual protected object sides” in claim 2, line 9; “the compensated individual sides” in claim 2, line 12; “the source” in claim 2, lines 13 and 16; “the fault position” in claim 2, line 14; “the protected object” in claim 2, line 16; and “the fault” in claim 4, line 3. Appropriate correction is required.

***Allowable Subject Matter***

7. Claims 1-5, 7 and 8 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and the claim objections set forth in this Office action.

8. The following is a statement of reasons for the indication of allowable subject matter: claims 1-5, 7 and 8 are considered to contain allowable subject matter due to the inclusion of claim limitations: “calculating the contributions of the individual protected object sides negative sequence currents to the total negative sequence differential current by compensating for the phase shift of the power transformer within the protected zone; comparing the relative positions of the compensated individual sides negative sequence currents in the complex plane” in claims 1 and 5; and “means for calculating the contributions of the individual protected object sides negative sequence currents to the total negative sequence differential current by compensating for the phase shift of an eventual power transformer within the protected zone; means for comparing the relative positions of the compensated individual sides negative sequence currents

Art Unit: 2831

in the complex plane” in claim 2. Claims 3, 4, 7 and 8 are considered to contain allowable subject matter due to their dependence on claims 2 and 5.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY J. DOLE whose telephone number is (571)272-2229. The examiner can normally be reached on Mon. thru Fri. from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Timothy J. Dole/  
Primary Examiner, Art Unit 2831